

REMARKS

Claims 1-29 are pending in the above-identified application, of which claims 4, 5, 8, 9, 18, 19, 22, 23, 26, and 27 have been withdrawn. Claim 28 was allowed, claims 1-3, 10-17, 24, 25, and 29 were rejected, and claims 6, 7, 20, and 21 were objected to. With this Amendment, claims 1-3, 6, 7, 10-17, 20, 21, 24, and 25 have been amended, and claim 29 has been cancelled. Accordingly, claims 1-3, 6, 7, 10-17, 20, 21, 24, 25, and 28 are at issue.

I. Objection To Specification

The Examiner objected to the title of the invention as not descriptive. In response, Applicants have amended the title, as suggested by the Examiner. Accordingly, Applicants respectfully request withdrawal of this objection.

II. Objection To Claims

Claims 2-3, 6-7, 10-14, 16-17, 20-21 and 24-25 were objected to because of informalities. In response, these claims have been amended, as suggested by the Examiner. Accordingly, Applicants respectfully request withdrawal of this objection.

III. 35 U.S.C. § 101 Rejection of Claims

Claim 29 was rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Without prejudice, Applicants have cancelled claim 29 in order to further prosecution. Applicants reserve the right to claim the subject matter of cancelled claim 29 later in prosecution or in a continuation application.

IV. 35 U.S.C. § 112 Indefiniteness Rejection of Claims

Claim 29 was rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. Without prejudice, Applicants have cancelled claim 29 in order to further prosecution. Applicants reserve the right to claim the subject matter of cancelled claim 29 later in prosecution or in a continuation application.

V. **35 U.S.C. § 103 Obviousness Rejection of Claims**

Claims 1-3, 10, 12, 15, 26 and 29 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ginter (U.S. Patent No. 5,892,900) in view of Moreh (U.S. Patent No. 6,158,007) and Khidekel (U.S. Patent No. 6,636,975). Claims 11 and 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ginter, Moreh and Khidekel, as applied to claims 1 and 15 above, in further view of “IBM Cryptolopes, SuperDistribution and Digital Rights Management” by Kaplan. Claim 13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ginter, Moreh and Khidekel, as applied to claim 1 above, in further view of Traw (U.S. Patent No. 5,949,877). Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ginter, Moreh and Khidekel, as applied to claim 1 above, in further view of Shockley (U.S. Patent No. 5,534,855). Applicants respectfully traverse these rejections.

Without acquiescing to the merits of the rejections, and without prejudice, in order to further prosecution, Applicants have amended independent claims 1 and 15 to include the subject matter of dependent claims 6-7 and 20-21, respectively, that the Examiner indicated the prior art fails to teach or suggest. Claims 2, 3, 6, 7, and 10-14 depend from independent claim 1. Claims 16, 17, 20, 21, 24, and 25 depend from independent claim 15. Accordingly, Applicants respectfully submit claims 1-3, 6, 7, 10-17, 20, 21, 24, and 25 are allowable over the cited art. Applicants reserve the right to claim the subject matter of previously-submitted claims 1 and 15 later in prosecution or in a continuation application.

VI. Objection To Claims

Claims 6-7 and 20-21 were objected to as being dependent upon a rejected base claim, but were found to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As noted previously, Applicants have amended independent claims 1 and 15 to include the subject matter of claims 6-7 and 20-21, respectively, that the Examiner indicated the prior art fails to teach or suggest. Accordingly, Applicants submit that this objection has been obviated, and respectfully request its withdrawal.

VII. Double Patenting Rejection of Claims

Claims 1, 15, 28 and 29 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 19, 28 and 30, respectively, of copending Application No. 09/943,773. In response to this objection, Applicants are submitting a Terminal Disclaimer. Accordingly, Applicants respectfully request withdrawal of this rejection.

VIII. Conclusion

In view of the above amendments and remarks, Applicants submit that all claims are clearly allowable over the cited prior art, and respectfully request early and favorable notification to that effect.

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